

Exhibit #2

Mr. Donovan Porterfield
PO Box 1417
Los Alamos, NM 87544

September 15, 2001

Ms. Loretta Young
Office of Advocacy, EH-8
U.S. Department of Energy
1000 Independence Avenue
Washington, DC 20585

Attn: Physicians Panel Rule

Dear Ms. Young

The following comments are in response to the Federal Register announcement (Vol. 66, no. 174, September 7, 2001) proposing procedures to implement Subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000.

I believe that in assisting applicants seeking compensation from their State's workers compensation system, the DOE Program Office should make use of state of the art analytical techniques to determine the amounts of radionuclide body burdens that these applicants may have. This to better substantiate their claims for compensation. Current state of the art analytical techniques are able to detect radionuclide body burdens that may have escaped detection by earlier analytical techniques.

Consideration should also be given to the use of chromosome translocation analysis to substantiate the claims of claims of compensation for those potentially exposed to ionizing radiation during their employment history.

Based on my above comments the DOE should allow in the final regulations for "paying for the development of medical evidence ... to support an individual's application for assistance under Subpart D." The above techniques, being both technically complex and costly, will require the assistance of DOE in both the funding and insuring the quality with which they are accomplished.

I also disappointed not to see any discussion of a comprehensive analysis of the exposure and medical information derived from this effort to better define worker exposure limits. To not allow such a comprehensive analysis seems like a terrible waste.

Sincerely yours,



Mr. Donovan Porterfield

cc'd
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